



**U.S. Citizenship
and Immigration
Services**

**Non-Precedent Decision of the
Administrative Appeals Office**

MATTER OF KVSE-, LLC

DATE: JUNE 17, 2016

APPEAL OF TEXAS SERVICE CENTER DECISION

PETITION: FORM I-140, IMMIGRANT PETITION FOR ALIEN WORKER

The Petitioner seeks to permanently employ the Beneficiary as a systems accountant. It requests her classification as a member of the professions holding an advanced degree under the second preference immigrant category. *See* Immigration and Nationality Act (the Act) section 203(b)(2)(A), 8 U.S.C. § 1153(b)(2)(A). This classification allows a U.S. employer to sponsor a professional with an advanced degree for lawful permanent resident status.

On December 28, 2015, the Director, Texas Service Center, denied the immigrant visa petition. The Director concluded that the record did not establish the Petitioner's continuing ability to pay the proffered wage. The matter is now before us on appeal. Because the appeal does not assert any errors in law or fact, we will summarily dismiss it.

Part 4 of Form I-290B, Notice of Appeal or Motion, requires a petitioner to "provide a statement regarding the basis for the appeal or motion." *See* 8 C.F.R. § 103.2(a)(1) (incorporating form instructions into the regulations). We "shall summarily dismiss" an appeal if an appellant "fails to identify specifically any erroneous conclusion of law or statement of fact for the appeal." 8 C.F.R. § 103.3(a)(1)(v).

On the instant Form I-290B, the Petitioner indicated its filing of an appeal. But the Petitioner did not state the basis of its appeal, or specify any erroneous conclusion of law or statement of fact.

The Petitioner stated that, within 30 calendar days of the appeal's filing on January 29, 2016, it would submit a brief and/or additional evidence. But, as of the date of this decision, we have not received any further materials from the Petitioner.

The Petitioner did not specify any erroneous conclusion of law or statement of fact. Pursuant to 8 C.F.R. § 103.3(a)(1)(v), we must therefore summarily dismiss the appeal.

ORDER: The appeal is summarily dismissed pursuant to 8 C.F.R. § 103.3(a)(1)(v).

Cite as *Matter of KVSE-, LLC*, ID# 17769 (AAO June 17, 2016)